

INDIAN AFFAIRS MANUAL

Part:	3	Delegations of Authority	
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1.1 Purpose. This chapter describes how authority is delegated in Indian Affairs.

1.2 Policy. Authority is to be placed at the lowest organizational level which has the staff capability to effectively perform the delegated duties.

1.3 Authority.

A. Title 5, U.S.C. § 302, Delegation of Authority.

B. Reorganization Plan No. 3, 1950.

C. Title 25, U.S.C. § 1a, Delegation of Powers and Duties by the Secretary of Interior and Commissioner of Indian Affairs.

D. Title 25, U.S.C. § 2006, Bureau of Indian Affairs Education Functions.

1.4 Guidance. Departmental Manual, Parts 200 - 299, Delegation Series.

1.5 Exercise of Delegated Authority. An officer or employee who is delegated or redelegated authority must use such authority in accordance with laws, regulations, established policies and procedures, and budgetary limitations. Failure to comply may lead to disciplinary action.

1.6 Effect of Delegation. An officer who delegates or redelegates authority does not lose the power to exercise that authority, nor does the delegation or redelegation relieve that official of the responsibility for actions taken by those to whom authority was delegated.

1.7 Redelegation. Unless otherwise limited, authority may be further delegated. Such redelegation is discretionary.

1.8 Publication. Unless issued by Secretarial Order, delegations of authority are effective only upon publication in the following documents:

Delegation From	Delegation To	Citation
Secretary	Assistant Secretary - Indian Affairs	209 DM 8
Assistant Secretary - Indian Affairs	Commissioner of Indian Affairs	230 DM 1
Assistant Secretary - Indian Affairs	Director, Office of Indian Education Programs	230 DM 2
Commissioner of Indian Affairs	Central Office Directors	3 IAM 2
Central Office Directors	Subordinate Organizational Levels	3 IAM 3
Commissioner of Indian Affairs	Area Directors	3 IAM 4
Director, Office of Indian Education Programs	Education Line Officers	3 IAM 5

1.9 Suspension. Indian Affairs officials through whom authority is delegated to subordinate employees may suspend the exercise of that authority by a subordinate. A memorandum is used to notify an employee of the authorities that are being withdrawn. Reinstatement of suspended authorities is also documented by a memorandum.

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2.1 General Delegations. Certain authorities delegated to the Commissioner of Indian Affairs by the Assistant Secretary - Indian Affairs in 230 DM 1 are delegated to the directors of: Economic Development, Indian Gaming Management, Facilities Management and Construction, Law Enforcement Services, Management and Administration, Tribal Services, and Trust Responsibilities:

- A. Attendance at Professional Meetings, 205 DM 2(1)(A).
- B. Administrative Services:
 - (1) Advertising, 205 DM 5.1;
 - (2) Long Distance Telephone Calls, 205 DM 5.4; and
 - (3) Economy Act, 205 DM 5.6
- C. Budget and Financial Administration:
 - (1) Certification of Time and Attendance Reports, 205 DM 6.2
 - (2) Collection of Erroneous Payments Made to Employees, 205 DM 6.4
- D. Personnel Management, 205 DM 8.
- E. Travel and Transportation:
 - (1) Relocation Allowances, 105 DM 15.2; and
 - (2) Travel Authorizations and Temporary Duty Travel Expenses, 105 DM 15.5.

2.2 Limitations on General Delegations. The authority to approve awards to employees is subject to the following limits:

Type of Award	Amount of Award
Time Off Award	Minimum - 1 hour. Maximum: No limit other than that imposed by organizational mission and workload.
Monetary Award	Not to exceed \$3,500.
Monetary Award - Team	Not to exceed \$5,000

2.3 Redelegation of General Authorities.

- A. Directors may not delegate the following authorities:
 - (1) Advertising;
 - (2) Economy Act;
 - (3) Collection of erroneous payments made to employees;
 - (4) Relocation allowances;
 - (5) Authorization and approval of actual subsistence expenses;
 - (6) Authorization and approval of rooms used for other than lodging;
 - (7) Authorization and approval of additional travel expenses incurred by an employee with a disability;
 - (8) Approval of Quality Step Increases; and
 - (9) Approval of monetary awards to teams.

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B. Directors may delegate the following authorities only to the Division Chief level:

- (1) Attendance at Professional Meetings;
- (2) Travel Authorizations and Temporary Duty Travel Expenses;
- (3) Approval of handbooks intended for bureau-wide use.
- (4) Approval of Time Off Awards;
- (5) Approval of Monetary Awards up to \$2500;
- (6) Selection of a qualified applicant to fill a vacant position;
- (7) Authority to sign and issue notices to employees of the following:

(a) proposed adverse actions, and decisions on adverse actions, including non-disciplinary demotions and separations;

(b) proposed demotions or removals and decisions on demotions or removals, based on unacceptable performance; and

(c) terminations during probationary or trial periods.

C. Directors and Division Chiefs may delegate all other authorities to first level supervisors.

2.4 General Delegations to the Director, Office of Management and Administration.

- A. Library Books, Subscriptions and Memberships, 205 DM 5.3.
- B. Leases, 205 DM 5.5.
- C. Imprest Funds and Designation of Cashiers, 205 DM 6.1.
- D. Designation of Certifying Officers, 205 DM 6.6.
- E. Designation of Collection Officers, 205 DM 6.7.
- F. Designation of Disbursing Officers, 205 DM 6.8.
- G. Prescribe Statistical Sampling, 205 DM 6.10.
- H. Suspension or Termination of Collection Activity, 205 DM 7.1.
- I. Personal Property Management, 205 DM 9.
- J. Real Property Management, 205 DM 10.
- K. Procurement and Contracting, 205 DM 11.
- L. Contractor Provided Services, 205 DM 15.7

2.5 Limitations on Redelelegation of General Authorities by the Director, Office of Management and Administration.

- A. The authorities delegated under 2.4(A) and (L) may not be redelegated.
- B. The authority delegated under 2.4(H) is limited to \$5,000 and may not be redelegated.
- C. The procurement authority --
 - (1) for micro purchases may be delegated through warranted officers to any employee.
 - (2) for purchases in excess of \$2500 may be delegated only to employees who meet the requirements of the Contracting Officers' Warrant System.

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2.6 General Delegations to the Director, Office of Facilities Management and Construction.

- A. Leases, 205 DM 5.5.
- B. Personal Property Management, 205 DM 9.
- C. Real Property Management, 205 DM 10.

2.7 General Delegations to the Director, Office of Trust Responsibilities.

- A. Issuance of Archeological and Paleontological Permits, 205 DM 3.
- B. Land Management Programs, 205 DM 14.1.
- C. Fire Protection and Assistance, 129 DM 1.
- D. Designation of Disbursing Officers, 205 DM 6.8.

2.8 Program Delegations. Subject to the limitations contained in 200 DM 1, 209 DM 8, 230 DM 1, and this Part of the Indian Affairs Manual, Directors may exercise all of the program authority of the Commissioner of Indian Affairs necessary to fulfill the responsibilities for those functions, programs, and activities assigned to their organizations.

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4.1 General Delegations. Certain authorities delegated to the Commissioner of Indian Affairs by the Assistant Secretary - Indian Affairs in 230 DM 1 are delegated to the Area Directors:

- A. Attendance at Professional Meetings, 205 DM 2(1)(A).
- B. Archeological and Paleontological Permits, 205 DM 3.
- C. Administrative Services:
 - (1) Advertising, 205 DM 5.1;
 - (2) Telephone Service in Private Residences, 205 DM 5.2;
 - (3) Long Distance Telephone Calls, 205 DM 5.4;
 - (4) Leases, 205 DM 5.5; and
 - (5) Economy Act, 205 DM 5.6
- D. Budget and Financial Administration:
 - (1) Certification of Time and Attendance Reports, 205 DM 6.2;
 - (2) Collection of Erroneous Payments Made to Employees, 205 DM 6.4;
 - (3) Designation of Certifying Officers; and
 - (4) Designation of Collection Officers;
- E. Personnel Management, 205 DM 8.
- F. Personal Property Management, 205 DM 9.
- G. Real Property Management, 205 DM 10.
- H. Procurement and Contracting, 205 DM 11.
- I. Land Management, 205 DM 14.
- J. Travel and Transportation, 205 DM 15.2, 15.3, 15.4, 15.5, and 15.;
- K. Disaster Assistance, 295 DM 1.
- L. Fire Protection and Assistance, 296 DM 1.
- M. Oil Spills and Hazardous Substance Releases, 296 DM 2.

4.2 Limitations on General Delegations. Personnel Management authority is subject to the following limits:

- A. Employee Awards:

Type of Award	Amount of Award
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Time Off Award	Minimum - 1 hour. Maximum: No limit other than imposed by organizational mission and workload.
Monetary Award	Not to exceed \$3,500.
Monetary Award - Team	Not to exceed \$5,000

B. Appointment or transfers of superintendents.

4.3 Redlegation of General Authorities.

A. Directors may not delegate the following authorities:

- (1) Economy Act;
- (2) Leasing authority granted by the General Services Administration;
- (3) Designation of certifying officers;
- (4) Collection of erroneous payments made to employees;
- (5) Approval to carry over of annual leave in excess of 240 hours a year due to operational requirements which precluded employees from using scheduled leave;
- (6) Approval of Quality Step Increases;
- (7) Approval of monetary awards to teams;
- (8) Acquisition and use of new or additional units to be used as government furnished quarters, and determinations of required occupancy in government furnished quarters;
- (9) Relocation allowances;
- (10) Authorization and approval of actual subsistence expenses;
- (11) Authorization and approval of rooms used for other than lodging; and
- (12) Authorization and approval of additional travel expenses incurred by an employee with a disability.

B. Directors may delegate the following authorities only to Superintendents and to second level supervisors within the Area office:

- (1) Attendance at Professional Meetings;
- (2) Approval of Time Off Awards;
- (3) Approval of Monetary Awards up to \$2500;
- (4) Selection of a qualified applicant to fill a vacant position;
- (5) Authority to sign and issue notices to employees of the following:
 - (a) proposed adverse actions, and decisions on adverse actions, including non-disciplinary demotions and separations;
 - (b) proposed demotions or removals and decisions on demotions or removals, based on unacceptable performance; and
 - (c) terminations during probationary or trial periods.

C. The procurement authority --

- (1) for micro purchases may be delegated through warranted officers to any

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employee.

- (2) for purchases in excess of \$2500 may be delegated only to employees who meet the requirements of the Contracting Officers' Warrant System.
- D. All other authorities may be delegated to first level supervisors.

4.4 Delegation of Program Authorities. Subject to the limitations contained in 200 DM 1, 209 DM 8, 230 DM 1, and this Part of the Indian Affairs Manual, Directors may exercise the program authority of the Commissioner of Indian Affairs necessary to fulfill the responsibilities for those functions, programs, and activities assigned to their organizations.

4.5 Limitations on the Delegation of Program Authorities.

- A. Findings of No Significant Impact, based upon environmental assessments, related to proposed Indian gaming operations may be made only with the prior concurrence of the Director, Office of Trust Responsibilities.
- B. This delegation does not include the authority contained in the Indian Reorganization Act to restore ceded surplus lands to tribal ownership (25 U.S.C. § 463) or to proclaim new Indian reservations (25 U.S.C. § 467).
- C. This delegation does not include authority to approve plans or changes in plans for the use or distribution of Judgment Funds.
- D. This delegation does not include authority to make a determination subsequent to the date of issuance of this Manual Chapter that an adult Indians who is not non compos mentis or under other legal disability is in need of assistance in managing his/her affairs (25 CFR § 115.9).

4.6 Redelelegation of Program Authorities. Authority to award contracts and grants pursuant to the Indian Self-Determination Act may be delegated only to warranted contracting officers or to those employees who have completed a training program prescribed by the Director, Office of Tribal Services.